

## CHAPTER 248.

[H. B. 245.]

AUTHORIZING REGENTS OF STATE UNIVERSITY TO  
GRANT RIGHT-OF-WAY.

AN ACT authorizing the board of regents of the University of Washington to confirm a right-of-way in any railroad company now having in operation a line of railroad, or branches, or sidings, or spurs thereof, or to grant an easement for a right-of-way to any railroad company or street car company hereafter desiring to construct a railroad or line, with branches, sidings, or spurs, all upon any property in use by said university for university purposes, or as a part of the ground set aside or devoted to university purposes, and providing for the manner in which said right-of-way shall be ascertained and patented, and the terms upon which the same shall be granted and held.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Any railroad company now having in operation a line of railroad, or branches, sidings, or spurs thereof, upon any property in this state in use by the University of Washington for university purposes, or as a part of the grounds set aside or devoted to university purposes, may have such right-of-way confirmed to it, its successors and assigns, upon the following terms and conditions: Such railroad company shall file with the board of regents of said university a plat showing the right-of-way desired, and shall file a duplicate thereof with the Commissioner of Public Lands; and any railroad company or street car company desiring hereafter to construct a railroad or street car line, or extensions thereof, with branches, sidings, or spurs, upon any property in this state in use by the University of Washington for university purposes, or as a part of the ground set aside or devoted to university purposes, may have such right-of-way confirmed to it, its successors and assigns, upon the following terms and conditions: Such railroad company or street car company shall file with the board of regents of said university a plat showing the right-of-way desired, and shall file a duplicate thereof with the Commissioner of Public Lands.

Companies  
benefited.

Plat.

Future  
rights-of-  
way.

SEC. 2. The board of regents of said University of Washington are authorized, upon the filing of such plat with it, to agree in writing with any such railroad company or street car company, upon the boundaries and the extent of such right-of-way, the manner in which the same shall be maintained and fenced and occupied, and prescribe the number, character, and maintenance of crossings, cross-overs, and subways, and as to what sum said railroad company or street car company shall pay for the right-of-way granted.

Conditions  
of grant.

SEC. 3. If such agreement is entered into, said board of regents shall transmit a certified copy thereof to the Commissioner of Public Lands, who shall, after the full amount of money provided in such agreement shall be paid by said railroad company or street car company to the State Treasurer, issue to such railroad company or street car company, in the name of the State of Washington, a deed for the right-of-way described in such agreement, which said deed shall recite and be subject to all the terms and conditions of such agreement, and certified copies of said deed shall be filed, one in the office of the Commissioner of Public Lands, and the other with the secretary of said board of regents.

Deed for  
right-of-  
way.

SEC. 4. The conveyance herein provided for shall not be deemed to convey the fee to the land described, but an easement only thereover and for railroad or street car purposes only, and when the right-of-way granted as aforesaid shall not be used for the purposes for which it was granted, then and thereupon the easement right shall immediately become void.

Deed conveys  
easement,  
only.

Passed by the House February 23, 1909.

Passed by the Senate March 9, 1909.

NOTE BY SECRETARY OF STATE.—This bill filed and allowed to become a law without the signature of the Governor.

SAM H. NICHOLS, *Secretary of State.*